

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. 12,437

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Appeal of)

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INTRODUCTION

The petitioner appeals the decision of the Department of Social Welfare denying her application for supplemental fuel assistance. The issue is whether the petitioner's resources are in excess of the program maximum.

FINDINGS OF FACT

The facts are not in dispute. When the petitioner applied for fuel assistance the Department learned that she had several bank accounts, including a certificate of deposit for \$10,000.00. The petitioner's appeal was based on her claim that she knows other people in her situation who have been found eligible. She also stated that she has used up all her savings except the CD, and that she will have to pay an interest penalty if she has to withdraw her CD prematurely.

ORDER

The Department's decision is affirmed.

REASONS

Under Welfare Assistance Manual § 2903.1, the resource maximum for eligibility is \$3,000.00 for households with a person who is elderly and \$2,000.00 for all other households. No exception is made for savings held in a CD. The petitioner was advised to report to the Department any person she knows who is fraudulently receiving benefits; and she seemed to agree that her eligibility could not be based on the fact that other persons may be receiving benefits on a fraudulent basis. She was also advised that she could probably borrow against her CD if she runs short of cash and does not want to withdraw her CD before it matures (which, she said, would be in a couple of months).

Inasmuch, however, as the Department's decision is in accord with the regulations it must be affirmed. 3

V.S.A. § 3091(d) and Fair Hearing Rule No. 19.

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